REMARKS/ ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Office Action dated 12 May 2009. Claims 1-23 remain pending. The Examiner is respectfully requested to reconsider the rejections in light of the following comments.

In the Office Action, the Examiner rejected Claims 1-6, 14-21, and 23 under 35 U.S.C. § 103(a) as being unpatentable over Noy, U.S. PG Pub 2002/0040457, hereinafter Noy in view of Srinivasan, U.S. Patent # 6,499,129, hereinafter Srinivasan. Additionally, the Examiner rejected Claims 7-13 and 22 under 35 U.S.C. § 103(a) as being unpatentable over Noy in view of Srinivasan and further in view of Hollander, U.S. Patent # 6,182,258, hereinafter Hollander.

Applicant's independent Claim 1 recites among its combination of features: a method for automatically generating a test program from a set of scenarios for testing a simulation model of a device under test (DUT) by providing a plurality of scenarios, where **each scenario contains at least one operation and at least one constraint indicating compatibility with at least one other scenario**. The method further includes **selectively defining a set** of **scenarios according to the constraints in the scenarios by resolving conflicts among the constraints** to define a set of scenarios that exclude conflicting scenarios. A test program itself is then automatically generated by combining the operations of the set of scenarios.

It is respectfully submitted that no combination of the cited Noy, Srinivasan, and Hollander references could render obvious the claimed approach to one of ordinary skill in the art.

The Examiner asserts that Noy provides a plurality of scenarios, each scenario containing at least one operation and at least one constraint indicative of compatibility with at least one other scenario. However, this is simply not the case; Noy nowhere even discloses or suggests a "scenario," let alone "a plurality of scenarios." While Noy does disclose a "constraint," the constraint merely dictates what type of values (e.g. integer, float, char...) can be used to fill a field as opposed to indicating compatibility with another scenario, as in the subject Patent Application.

Thus, Noy does not disclose or suggest: "providing a plurality of scenarios, each scenario containing ... at least one constraint indicative of compatibility with at least one other scenario," as necessary to independent Claim 1.

Even if, assuming *arguendo*, the struct of the Noy reference were correlated with a "scenario" of the subject Patent Application, the constraint is inward-facing, merely defining what types of values can be put into the field within that same struct. The constraint in Noy does NOT indicate compatibility with any other scenario.

The Examiner then contends that Noy discloses: "selectively defining a set of scenarios from said plurality of scenarios according to said constraints thereof by resolving conflicts among said constraints...." However, the only reference to "resolving" in Noy is to "reduce" or simplify the expression of each constraint by using the transitive property... e.g. if a=b and b=c, then a=c.

> [0060] Next, after the roles have been determined, preferably the constraints are resolved as much as possible before running the simulation and test generation. Such resolution preferably includes first determining which constraints are fully reducible. For example, if "i==j" and "j==3", then i is

set to 3. Such a constraint is fully reducible. ...

No selectivity is employed, no resultant set of scenarios are defined, and no "resolution" of constraints is performed within the broadest reasonable interpretation of "resolution" consistent with the Specification and the remainder of the Claim language pursuant to MPEP 2111.

Noy shows no selectivity or selecting something in opposition to something else. Noy merely discloses a promiscuous approach, accepting and analyzing ALL constraints and ALL structs. Even if a conflict did arise between constraints, Noy discloses no method for resolving such a conflict.

The Examiner relies on Noy for the act of "resolving"; yet the Examiner indicates that "Noy does not specifically disclose resolving conflict by excluding conflicting scenarios." To complete the limitation, the Examiner seeks to juxtapose an isolated disclosure from Srinivasan. However, the Srinivasan reference cannot fairly be said to "selectively defin[e] a set of scenarios from said plurality of scenarios according to ... constraints thereof by <u>resolving conflicts among said constraints, said set of scenarios excluding conflicting scenarios</u>...."

Srinivasan merely discloses: "...great care is taken to generate true vectors that <u>do not cause a conflict</u>...." If, at the outset, each true vector is "generated" through "great care" to avoid "conflict" then there is NO conflict. As there can be no conflict, this necessarily precludes and obviates any step of "resolving conflicts" (as claimed in the subject Patent Application). Indeed, it is seen that Srinivasan, from the very beginning, before even creating vectors, ensures that the vectors DO NOT conflict. Moreover, Srinivasan does not disclose constraints or scenarios. Therefore, Srinivasan cannot

possibly disclose or suggest: "resolving conflicts among said constraints, said set of scenarios excluding conflicting scenarios."

Further still, the combination of Noy and Srinivasan does not disclose, allude to, or suggest: "automatically generating the test program by combining said set of scenarios to provide at least one operation as input for driving simulated operation of the DUT."

The secondarily-cited Srinivasan and Hollander references fail to remedy the deficiencies of Noy. These references were cited for other isolated features.
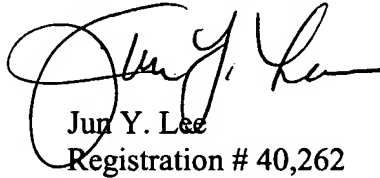
It is therefore respectfully submitted that the Noy, Srinivasan, and Hollander references, even when considered together, fail to disclose or suggest the unique combination of interrelated elements for the stated purposes and objectives disclosed in the subject Patent Application. The dependent Claims are believed to show further patentable distinctions, but are believed allowable for at least the same reasons as the independent Claim.

For all the foregoing reasons, it is now believed that the subject Patent Application has been placed fully in condition for allowance and such action is respectfully requested.

If there are any further charges associated with this filing, the Honorable

Commissioner for Patents is hereby authorized to charge Deposit Account #18-2011 for

such charges.

Respectfully submitted,

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